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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/707,720	11/07/2000	Yasuhiro Takada	450100-02835	9803
20999	7590	01/20/2004		
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			EXAMINER LONSBERRY, HUNTER B	
			ART UNIT	PAPER NUMBER
			2611	

DATE MAILED: 01/20/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/707,720

Applicant(s)

TAKADA ET AL.

Examiner

Hunter B. Lonsberry

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,665,020 to Stahl.

Regarding claim 1, Stahl discloses an IEEE 1394 network in which remote control commands are received by a DTV 14, as DTV 14 can not perform the associated command, the associated command is relayed to a device which can perform a command, such as DVCR 12 such as a channel up or down command, or play command (column 3, line 41-column 4, line 4, column 8, lines 1-27, column 9, line 21-column 10, line 11).

Regarding claim 2, Stahl discloses an IEEE1394 network which routes commands to devices on the network, transaction layer 22 and IRM 26 allocate and de-allocate isochronous resources, such as channels and bandwidth (column 3, line 41-column 4, line 29).

Regarding claim 3, Stahl discloses an IEEE 1394 network in which remote control commands are received by a DTV 14, as DTV 14 can not perform the associated command, the associated command is relayed to a device which can perform a command, such as DVCR 12 such as a channel up or down command, or play command, which would result in programming being displayed on DTV 14 (column 3, line 41-column 4, line 4, column 8, lines 1-27, column 9, line 21-column 10, line 11).

Regarding claim 4, Stahl discloses an IEEE 1394 network in which remote control commands are received by a DTV 14, as DTV 14 can not perform the associated command, the associated command is relayed to a device which can perform a command, such as DVCR 12 such as a channel up or down command, or play command (column 3, line 41-column 4, line 4, column 8, lines 1-27, column 9, line 21-column 10, line 11).

Regarding claim 5, Stahl discloses an IEEE1394 network which routes commands to devices on the network, transaction layer 22 and IRM 26 allocate and de-allocate isochronous resources, such as channels and bandwidth (column 3, line 41-column 4, line 29).

Regarding claim 6, Stahl discloses an IEEE 1394 network in which remote control commands are received by a DTV 14, as DTV 14 can not perform the

associated command, the associated command is relayed to a device which can perform a command, such as DVCR 12 such as a channel up or down command, or play command (column 3, line 41-column 4, line 4, column 8, lines 1-27, column 9, line 21-column 10, line 11).

Regarding claim 7, Stahl discloses an IEEE 1394 network in which remote control commands are received by a DTV 14, as DTV 14 can not perform the associated command, the associated command is relayed to a device which can perform a command, such as DVCR 12 such as a channel up or down command, or play command, which would result in programming being displayed on DTV 14 (column 3, line 41-column 4, line 4, column 8, lines 1-27, column 9, line 21-column 10, line 11).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 6,591,419 to Barry: Digital Multi-media Device and Method Relating Thereto.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is 703-305-3234. The examiner can normally be reached on Monday-Friday during normal business hours.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone number for the organization where this application or proceeding is assigned is 703-308-5359.

Application/Control Number: 09/707,720  
Art Unit: 2611

Page 5

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

HBL



**VIVEK SRIVASTAVA**  
**PRIMARY EXAMINER**